

**63G-7-403 Notice of claim -- Approval or denial by governmental entity or insurance carrier within 60 days -- Remedies for denial of claim.**

- (1)
  - (a) Within 60 days of the filing of a notice of claim, the governmental entity or its insurance carrier shall inform the claimant in writing that the claim has either been approved or denied.
  - (b) A claim is considered to be denied if, at the end of the 60-day period, the governmental entity or its insurance carrier has failed to approve or deny the claim.
- (2)
  - (a) If the claim is denied, a claimant may institute an action in the district court against the governmental entity or an employee of the entity.
  - (b) The claimant shall begin the action within one year after denial of the claim or within one year after the denial period specified in this chapter has expired, regardless of whether or not the function giving rise to the claim is characterized as governmental.

Renumbered and Amended by Chapter 382, 2008 General Session